

Town Board Minutes

November 1, 2016

Meeting No. 32

A Special Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 1st day of November 2016 at 5:30 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR

ABSENT: RONALD RUFFINO, COUNCIL MEMBER

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

This special Meeting of the Town Board of the Town of Lancaster was held to conduct a Public Hearing for the 2017 Special Districts Budget and the 2017 Preliminary Budget.

PUBLIC HEARING SCHEDULED FOR 5:30 P.M.: No. 1 Special Districts Budget

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was opened.

At 5:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Districts Budget matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
None	

ON MOTION BY COUNCIL MEMBER GACZEWSKI, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 5:33P.M.

Decision on this matter was reserved.

November 1, 2016

PUBLIC HEARING SCHEDULED FOR 5:30 P.M.: No. 2 Preliminary Budget

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was opened.

At 5:33P.M., the Town Board held a Public Hearing to hear all interested persons upon a Preliminary Budget matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Dan Amatura, Highway Superintendent	Comments
Mark Lubera, Park Crew Chief	Comments
John Sroda	Comments
Paul Nosbisch, Jr.	Comments
Bill Bucholz	Comments
Don Juliano	Comments
Dennis Komrek, White Collar Union President	Comments
Lee Chowaniec	Comments/Questions
Jeremy Colby, Town Justice	Comments

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER WALTER AND CARRIED, the public hearing was closed at 6:20 P.M.

Decision on this matter was reserved.

November 1, 2016

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held October 17, 2016 and the Regular Meeting of the Town Board held October 17, 2016 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

November 1, 2016

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, the Town Board is considering the proposed additions and renovations of the existing **Basil Chevrolet Resale Center**; including the erection of new walls and update to the building’s exterior, located at 5111 Transit Road, Depew, New York, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on October 17, 2016 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the building, the long Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, is fully familiar with the proposed location, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. This project is described as renovations to Basil Chevrolet’s existing resale center to include construction of new walls to enclose the area under the existing canopy roof and updates to the building exterior, will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

November 1, 2016

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: November 1, 2016

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed renovations to Basil Chevrolet’s existing resale center to include construction of new walls to enclose the area under the existing canopy roof and updates to the building exterior; on a \pm 1.16 acre parcel. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Joe Basil Chevrolet Resale Center Renovations

Location of Action: 5111 Transit Road, Depew, New York 14043, Erie County.

SEQR Status: Unlisted Action.

Description of Action: This project is described as renovations to the existing used car sales facility to include construction of new walls to enclose the area under the existing canopy roof.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. **Impact on land - No impact.**
2. **Impact on Geological Features – No impact.**
3. **Impacts on Surface Water – No impact.**
4. **Impact on Groundwater – No impact.**
5. **Impact on Flooding – No impact.**
 - It is noted that this is in contradiction to the applicants EAF. The project is not within a 500 year floodplain.
6. **Impact on Air – No Impact.**
7. **Impact on Plants and Animals – No impact.**

8. **Impact on Agricultural Resources – No impact.**
9. **Impact on Aesthetic Resources – No impact.**
10. **Impact on Historic and Archeological Resources – No impact.**
11. **Impact on Open Space and Recreation – No impact.**
12. **Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
13. **Impact on Transportation – No impact.**
14. **Impact on Energy – No impact.**
15. **Impact on Noise, Odor and Light – No impact.**
16. **Impact on Human Health – No impact.**
17. **Consistency with Community Plans – No impact.**
18. **Consistency with Community Character – No impact.**

For Further Information:

Contact Person:	Kevin E. Loftus, Town Attorney Town of Lancaster
Address:	21 Central Avenue Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Jerry Crofts, of Bliss Construction, has submitted on behalf of **Joe Basil Chevrolet** a site plan prepared by Silvestri Architects, dated May 3, 2016 and received August 22, 2016 for the proposed renovations of the existing used car sales facility to include construction of new walls to enclose the area and updates to the building exterior on a 1.16 acre site located at 5111 Transit Road, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their September 7, 2016 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on October 17, 2016, in conformance with SEQR (State Environmental Quality Review) regulations and on November 1, 2016 a Negative Declaration was issued.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Jerry Crofts on behalf of Joe Basil Chevrolet and prepared by Silvestri Architects, dated May 3, 2016 and received August 22, 2016 for the proposed renovations of the existing used car sales facility to include construction of new walls to enclose the area and updates to the building exterior on a 1.16 acre site located at 5111 Transit Road in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER GACZEWSKI	VOTED YES
COUNCIL MEMBER RUFFINO	WAS ABSENT
COUNCIL MEMBER WALTER	VOTED YES
SUPERVISOR COLEMAN	VOTED YES

November 1, 2016

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned in memory of
Dorothy Mesaros, Dorothea Metsa and Karen Pilato at 7:25 P.M.

Signed_____

Diane M. Terranova, Town Clerk